

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES OF AMERICA, *et al.*,**

Plaintiffs and Relator,

v.

**NOVARTIS PHARMACEUTICALS  
CORPORATION,**

Defendant.

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**NOVARTIS PHARMACEUTICALS  
CORPORATION,**

Defendant.

11 Civ. 0071 (PGG)

**DECLARATION OF JEANNETTE VARGAS**

I, Jeannette Vargas, pursuant to the provisions of 28 U.S.C. § 1746, declare, under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the office of Geoffrey S. Berman, United States Attorney for the Southern District of New York, attorney for Plaintiff United States of America (the “Government”). I am an attorney assigned to this matter, and am familiar with the proceedings herein. I am an attorney assigned to this matter, and am familiar with the proceedings herein. I submit this declaration in support of the Government’s Motions in Limine.

1. Attached hereto as Exhibit A is a true and correct copy of excerpts from the transcript of the deposition of Suad Ismail, dated November 29, 2016.

2. Attached hereto as Exhibit B is a true and correct copy of excerpts from the transcript of the deposition of Seth Ivins, dated October 28, 2016.
3. Attached hereto as Exhibit C is a true and correct copy of excerpts from the transcript of the deposition of Dr. Ramon Mendez, dated December 7, 2016.
4. Attached hereto as Exhibit D is a true and correct copy of the Expert Report of Daniel McFadden, dated August 14, 2017.
5. Attached hereto as Exhibit E is a true and correct copy of the Eric M. Gaier Expert Report, dated December 11, 2017.
6. Attached hereto as Exhibit F is a true and correct copy of the Rebuttal Report of Daniel McFadden, dated February 7, 2018.
7. Attached hereto as Exhibit G is a true and correct copy of excerpts from the transcript of the deposition of Anne Duvall, dated October 25, 2016.
8. Attached hereto as Exhibit H is a true and correct copy of excerpts from the transcript of the deposition of Richard Cassoff, dated September 7, 2016.
9. Attached hereto as Exhibit I is a true and correct copy of excerpts from the transcript of the deposition of Michael Contreras, dated September 23, 2016.
10. Attached hereto as Exhibit J is a true and correct copy of the Second Supplemental Disclosures of Defendant Novartis Pharmaceuticals Corporation, dated March 4, 2019.
11. Attached hereto as Exhibit K is a true and correct copy of the Third Supplemental Disclosures of Defendant Novartis Pharmaceuticals Corporation, dated March 25, 2019.
12. Attached hereto as Exhibit L is a true and correct copy of the 2010 Settlement Agreement between the United States and Novartis Pharmaceuticals Corporation.

13. Attached hereto as Exhibit M is a true and correct copy of the Government's Objections and Responses to Defendant's First Set of Interrogatories, dated December 8, 2014.

14. Attached hereto as Exhibit N is a true and correct copy of a letter from the Government to Novartis Pharmaceuticals Corporation, dated November 27, 2015.

15. Attached hereto as Exhibit O is a true and correct copy of the Government's Second Supplemental Objections and Responses to Defendant's First and Second Sets of Interrogatories, dated December 5, 2017.

16. Attached hereto as Exhibit P is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV\_LIT003250851

17. Attached hereto as Exhibit Q is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV\_LIT000202193

18. Attached hereto as Exhibit R is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV\_LIT000203831

19. Attached hereto as Exhibit S is a true and correct copy of a document produced in discovery by Novartis, Bates stamped NPCLSV\_LIT000215324

20. Attached hereto as Exhibit T is a true and correct copy of excerpts from the transcript of the deposition of Julie Kane, dated October 18, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
April 8, 2019

/s/ Jeannette Vargas  
Jeannette Vargas